

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

GREG L. WATKINS, SR., as Grandfather and  
Guardian of Anahi Janae Watkins and Ke'Auri  
Watkins, and as Administrator of the Estate of Greg L.  
Watkins, Jr.,

Case No.

Plaintiffs,

v.

QUICK SERVE EMERY, LLC, VISHAL PATEL,  
RHODY DEVELOPMENT, LLC, RSP  
AMUSEMENT, INC., KRUNAL PATEL, MUKESH  
PATEL, and RAJINDER KAURA,

Defendants.

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**DEFENDANT KRUNAL PATEL'S NOTICE OF REMOVAL OF CIVIL ACTION**

COMES NOW, Defendant KRUNAL PATEL, by and through his undersigned counsel, and pursuant to 28 USC §1441 and 28 U.S.C. § 1331, hereby removes the above-titled action, which is pending as Case No. 2022-CV-077233 in the Superior Court of Bibb County, Georgia to the United States District Court for the Middle District of Georgia, Macon Division. In support of his Notice of Removal, Defendant KRUNAL PATEL states as follows:

**Nature of Action**

On August 10, 2022, Plaintiff GREG L. WATKINS, SR., as Grandfather and Guardian of Anahi Janae Watkins and Ke'Auri Watkins, and as Administrator of the Estate of Greg L. Watkins, Jr. ("Plaintiff"), filed an action in the Superior Court of Bibb County, Georgia titled, GREG L. WATKINS, SR., as Grandfather and Guardian of Anahi Janae Watkins and Ke'Auri Watkins, and as Administrator of the Estate of Greg L. Watkins, Jr., v. QUICK SERVE EMERY, LLC, VISHAL PATEL, RHODY DEVELOPMENT, LLC, RSP AMUSEMENT, INC., KRUNAL PATEL, MUKESH PATEL, and RAJINDER KAURA, *Case No. 2022-CV-077233*.

Defendant KRUNAL PATEL was served with the Summons and Complaint on August 16, 2022. Pursuant to 28 U.S.C. § 1446(a), true and correct copies of the Summons, Complaint, and all other process, pleadings, and orders served on Defendant KRUNAL PATEL are attached hereto as **Exhibit A** to this Notice of Removal.

### **Basis of Removal**

Pursuant to 28 U.S.C. § 1331, district courts have original jurisdiction on all claims arising under the laws of the United States. 28 U.S.C. § 1331. In Plaintiff's Complaint, Plaintiff pleads, among other claims, that "Defendants, in furtherance of their unlawful gambling enterprise, have engaged in two or more acts of racketeering and a pattern of racketeering activity including, but not limited to, tax evasion, false reports to a governmental agency, money laundering, illegal gambling (O.C.G.A. § 16-12-22), participation in the earnings of a gambling place (O.C.G.A. § 16-14-3(4)(A) and 16-14-3(5)(A)(xxxii)), communication of gambling information (O.C.G.A. § 16-14-3(4)(A)), and illegal gambling (18 U.S.C. § 1955)." Plaintiff has thus alleged a violation of federal law for which this court has original jurisdiction.<sup>1</sup>

Because this action is pending in the Superior Court of Bibb County, Georgia, venue for purposes of removal is proper in this Court pursuant to 28 U.S.C. § 1441(c).

### **Timeliness of Removal**

This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b) as it is being filed and served within thirty (30) days after Defendant KRUNAL PATEL's receipt of a copy of the initial pleading setting forth the claims for relief upon which this action is based.

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<sup>1</sup> Defendant KRUNAL PATEL is not required to obtain consent to removal because, co-defendants have not been properly served in this action. *See Johnson v. Wellborn*, 418 Fed.Appx. 809, 815 (11th Cir. Mar. 17, 2011) (per curiam) ("The requirement that there be unanimity of consent in removal cases with multiple defendants does not require consent of defendants who have not been properly served.").

Prompt written notice of this Notice of Removal is being served upon Plaintiff and Co-Defendants, and a copy is being filed with the Clerk of the Court of the Superior Court of Bibb County, Georgia, as required by 28 U.S.C. § 1446(d). A copy of the Notice of Filing Notice of Removal is attached as **Exhibit B** to this Notice of Removal.

**Conclusion**

Removal is proper because there is original jurisdiction as Plaintiff claims a violation of law(s) of the United States. Furthermore, timely removal is being made to the Middle District of Georgia, the district within which this action is pending. Defendant. KRUNAL PATEL, having met all procedural requisites for removal and having paid the appropriate filing fee, respectfully requests that the Court take jurisdiction over this matter and conduct all further proceedings

DATED: August 26, 2022.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 26, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Joshua C. Canton  
Joshua C. Canton, Esquire

**SERVICE LIST**

GREG L. WATKINS, SR., as Grandfather and Guardian of Anahi Janae Watkins and Ke'Auri Watkins, and as Administrator of the Estate of Greg L. Watkins, Jr., v. QUICK SERVE EMERY, LLC, VISHAL PATEL, RHODY DEVELOPMENT, LLC, RSP AMUSEMENT, INC., KRUNAL PATEL, MUKESH PATEL, and RAJINDER KAURA,

Case No. \_\_\_\_\_

United States District Court, Middle District of Georgia

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